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#10

PATENT
7976-1005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Russell Morgan, et al.

Serial No.: 10/027,485

Filing Date: December 21, 2001

For: SECURE POINT-OF-SALE CELLULAR
TELEPHONE DOCKING MODULE
SYSTEM

Office of Petitions

Supervisory Petitions Examiner:
Beverly M. Flanagan

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 C.F.R. § 1.47

Commissioner for Patents
Box DAC
Washington, DC 20231

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OFFICE OF PETITIONS

Dear Sir:

In reply to the Decision Refusing Status Under 37 CFR 1.47(a), mailed October 21, 2002, in response to Applicants' Request For Reconsideration Of Petition Under 37 CFR 1.47 filed August 28, 2002, in reply to the Decision Refusing Status Under 37 CFR 1.47(a), mailed July 23, 2002, in response to Applicants' Petition under 37 CFR § 1.47(a) filed April 9, 2002, Applicants hereby renew their request for reconsideration of Applicants' Petition under 37 CFR § 1.47(a) filed April 9, 2002, that the above-identified application be made by them and on behalf of a joint inventor who refuses to sign or cannot be reached.

Submitted herewith and incorporated by reference herein is a true and correct complete copy of Applicants' Request For Reconsideration Of Petition Under 37 CFR 1.47 filed August 28, 2002, which includes therein the following documentary evidence: The fully executed Declaration of Jon

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E. Hokanson, dated August 22, 2002, made upon firsthand knowledge of the events stated therein, to which the following documentary evidence is attached: (1) Letter of March 7, 2002 sent to Adam Hemsley, via certified first class mail return receipt requested, at his last known address, 86 Lyon Street, Amsterdam, NY 12010, enclosing a complete copy of the 10/027,485 patent application, attached thereto as Exhibit A; (2) Certified mail return receipt number 0030040800 confirming delivery on March 11, 2002 of the March 7, 2002 letter to Mr. Hemsley's last known address, 86 Lyon Street, Amsterdam, NY 12010, attached thereto as Exhibit B; and (3) stating that no communication of any kind whatever has been received from Mr. Hemsley in response to the March 7, 2002 letter.

Submitted herewith is a true and correct copy of the return postcard date stamped August 28, 2002, acknowledging receipt by the Commissioner of Patents of the following: (1) Certificate of Mailing; (2) Transmittal Form; (3) Request for Reconsideration of Petition Under 37 CFR 1.47; and (4) Declaration of Jon E. Hokanson, including Exhibits A & B, sent via First Class Mail.

Submitted herewith also is a true and correct copy of the Petition Pursuant To 37 CFR 1.47(a) executed on March 28, 2002, and filed April 9, 2002.

It is respectfully submitted that the above-referenced declaration, petition and request for reconsideration were executed in compliance with 37 CFR 1.4(d). It is further submitted that the above-referenced declaration and documentary evidence establish that a copy of the application papers and letter of March 7, 2002 were presented to Adam Hemsley, and that he has refused to sign oath or declaration specified by 37 C.F.R. § 1.63 with respect to the 10/027,485 patent application.

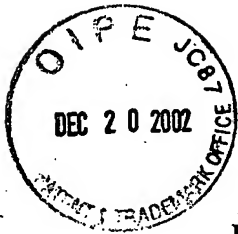
For all of the above reasons, it is requested that the petition filed April 9, 2002, under 37 C.F.R. § 1.47(a) be reconsidered and granted, and that notice of filing the application be published in the Official Gazette and that the application be examined on the merits.

Respectfully submitted,

Dated: December 20, 2002

By: Brian F. Drazich
Brian F. Drazich,
Registration No. 41,718

COUDERT BROTHERS LLP
333 South Hope Street, 23th Floor
Los Angeles, California 90071
Tel: (213) 229-2944
Fax: (213) 229-2999



PATENT
7976-1005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Russell Morgan, et al.

Serial No.: 10/027,485

Filing Date: December 21, 2001

For: SECURE POINT-OF-SALE CELLULAR
TELEPHONE DOCKING MODULE
SYSTEM

Office of Petitions

Supervisory Petitions Examiner:
Beverly M. Flanagan

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 C.F.R. § 1.47

Commissioner for Patents
Box DAC
Washington, DC 20231

Dear Sir:

In reply to the Decision Refusing Status Under 37 CFR 1.47(a), mailed July 23, 2002, in response to Applicants' Petition under 37 CFR § 1.47(a) filed April 9, 2002, Applicants hereby request reconsideration of Applicants' Petition under 37 CFR § 1.47(a) filed April 9, 2002, that the above-identified application be made by them and on behalf of a joint inventor who refuses to sign or cannot reached.

Submitted herewith in support of this request for reconsideration of petition is the declaration of Jon E. Hokanson made upon firsthand knowledge of the events stated therein, together with the following documentary evidence:

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**PATENT
7976-1005**

1. Letter of March 7, 2002 sent to Adam Hemsley, via certified first class mail return receipt requested, at his last known address enclosing a complete copy of the 10/027,485 patent application;
2. Certified mail return receipt number 0030040800 confirming delivery on March 11, 2002 of the March 7, 2002 letter to Mr. Hemsley.
3. No communication of any kind whatever has been received from Mr. Hemsley in response to the March 7, 2002 letter.

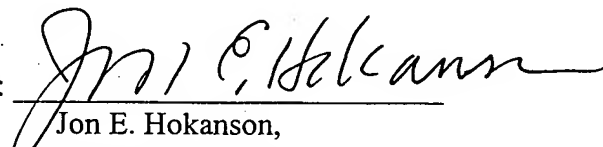
It is respectfully submitted that the above-referenced declaration and documentary evidence establish that a copy of the application papers and letter of March 7, 2002 were presented to Adam Hemsley, and that he has refused to sign oath or declaration specified by 37 C.F.R. § 1.63 with respect to the 10/027,485 patent application.

For all of the above reasons, it is requested that the petition filed April 9, 2002, under 37 C.F.R. § 1.47(a) be reconsidered and granted, and that notice of filing the application be published in the Official Gazette and that the application be examined on the merits.

Respectfully submitted,

Dated: August 22, 2002

By:


Jon E. Hokanson,
Registration No. 30,069

HOKANSON & DRAZICH, LLP
10940 Wilshire Boulevard, 18th Floor
Los Angeles, California 90024
Tel: (310) 209-4499
Fax: (310) 209-4450



PATENT
7976-1005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Russell Morgan

Serial No.: 10/027,485

Filing Date: December 21, 2001

For: SECURE POINT-OF-SALE CELLULAR
TELEPHONE DOCKING MODULE
SYSTEM

Examiner: Unassigned

Art Unit No.: 2681

DECLARATION OF JON E. HOKANSON IN SUPPORT OF REQUEST FOR
RECONSIDERATION OF PETITION UNDER 37 C.F.R. § 1.47

I, Jon E. Hokanson, declare as follows:

1. I have personal firsthand knowledge of the facts and events stated herein, and if called upon to do so, could and would competently testify thereto.
2. On March 7, 2002, I prepared and caused to be mailed by certified first class U. S. Mail, return receipt requested, a complete copy of U.S. patent application serial no. 10/027,485, including the specification, claims, abstract and drawings, together with a cover letter requesting that Adam Hemsley sign and return the inventor's declaration and assignment forms which I enclosed with the letter and application. I have attached to this declaration as Exhibit A, a true and correct copy of my March 7, 2002 letter to Adam Hemsley, and have attached as Exhibit B, a true and correct copy of certified mail return receipt no. 0030040800 confirming delivery of the March 7, 2002 letter.

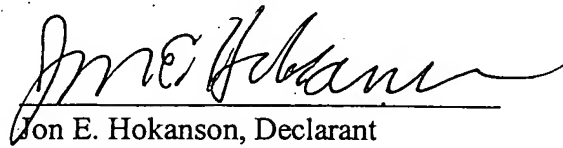
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3. To the present date, I have received no communication in any form, directly or indirectly, from Adam Hemsley in response to my March 7, 2002 letter.

4. Based on the foregoing, I have concluded that Adam Hemsley has refused to sign an inventor's declaration in the 10/027,485 patent application.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

DATED: August 22, 2002


Jon E. Hokanson, Declarant
Registration No. 30,069



SMALL LARKIN, LLP
ATTORNEYS AT LAW
EIGHTEENTH FLOOR
10940 WILSHIRE BOULEVARD
LOS ANGELES, CALIFORNIA 90024-3945
TELEPHONE: (310) 209-4400
CABLE: SLK MARK • TELEX: 6502238698
FACSIMILE: (310) 209-4450

March 7, 2002

JON E. HOKANSON
Direct Dial: (310) 209-4499
E-Mail: jh@slplaw.com



**CERTIFIED FIRST CLASS MAIL
RETURN RECEIPT REQUESTED**

Mr. Adam Hemsley
Global Production Resource
86 Lyon Street
Amsterdam, NY 12010

Re: U.S. Utility Patent Application
S/N: 10/027,485
Filed: 12/21/2001
Inventors: Morgan Russell and Adam Hemsley
Title: SECURE POINT-OF-SALE CELLULAR
TELEPHONE DOCKING MODULE SYSTEM
Our Ref. No: 7976-1005

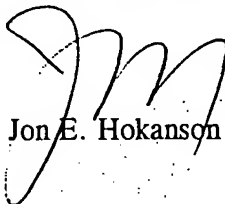
Dear Adam:

Further to our telephone conversation of earlier today, please find enclosed a copy of the above-identified patent application that was recently filed with the U.S. Patent and Trademark Office.

Also, please find enclosed an Inventor's Declaration, prepared for your signature, and an Assignment of invention. Please date and sign both of these documents and return them to me in the enclosed self-address stamped envelope for further processing.

If you have any questions, please contact me at 310-209-4499.

Very truly yours,


Jon E. Hokanson

JEH:cmw
Enclosures

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EXHIBIT A



Receipt is hereby acknowledged by the Commissioner of Patents of the enclosed: Certificate of Mailing (37 CFR 1.8 (a)) (1 pg); Transmittal Form (1 pg); Request for Reconsideration of Petition under 37 CFR § 1.47 (2 pgs); and Declaration of Jon E. Hokanson, including Exhibits A & B. (4 pgs) sent via First Class Mail.

Applicant: Russell Morgan, et al.
Title: SECURE POINT-OF-SALE CELLULAR
TELEPHONE DOCKING MODULE SYSTEM
Filed: December 21, 2001
Atty: JEH:lh
File No.: 7976-1005
Mailed: August 22, 2002
First Class Mail



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CERTIFICATE OF MAILING BY EXPRESS MAIL

EXPRESS MAIL MAILING LABEL NUMBER EU 7268 63577 45

DATE OF DEPOSIT December 20, 2002

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED IN THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE COMMISSIONER FOR PATENTS, BOX DAC, WASHINGTON, DC 20231

Brian F. Drazich

(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)

Brian Drazich
(SIGNATURE OF PERSON MAILING PAPER OR FEE)

Applicant: RUSSELL MORGAN, ET AL

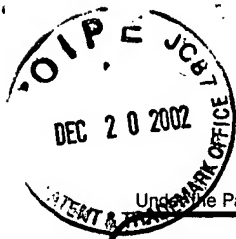
Title of Invention: SECURE POINT-OF-SALE CELLULAR
TELEPHONE DOCKING MODULE SYSTEM

File No.: 7976-1005

Enclosed with this "Certificate of Mailing By Express Mail" for filing are:

1. Transmittal Form (1 pg);
2. Request for Reconsideration of Petition Under 37 CFR 1.47, including attachments (12 pgs);
3. Certificate of Mailing by Express Mail; and
4. Return Receipt Postcard.

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/027,485	
	Filing Date	12/21/2001	
	First Named Inventor	Russell Morgan	
	Group Art Unit	2681	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission	13*	Attorney Docket Number	7976-1005

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ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Certificate of Express Mailing and postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	
13* pages excluding certificate of express mailing and postcard.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Brian F. Drazich
Signature	<i>Brian Drazich</i>
Date	12/20/2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 			
Typed or printed name			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



7976-1005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Russell Morgan, et al.

Serial No.: 10/027,485

Filing Date: December 21, 2001

For: SECURE POINT-OF-SALE CELLULAR
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Office of Petitions

Commissioner for Patents
Washington, D.C. 20231

**PETITION PURSUANT TO 37 C.F.R. 1.47(a) REGARDING FILING OF PATENT
APPLICATION WITHOUT THE DECLARATION OF AN INVENTOR WHO CANNOT
BE REACHED AFTER DILIGENT EFFORT BY SIGNING INVENTOR**

Dear Sir:

Applicant, Russell Morgan, respectfully requests pursuant to 37 C.F.R. 1.47(a) that the patent application herein be deemed made on behalf of himself and nonsigning co-inventor Adam Hemsley, whom Applicant Morgan and the undersigned have diligently attempted to reach by U.S. Mail and by telephone, albeit unsuccessfully, at Mr. Hemsley's last known address and telephone number as shown below.

Applicant sets forth the last known address and telephone number of nonsigning inventor Adam Hemsley as follows:

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Adam Hemsley
Global Production Resource
86 Lyon Street
Amsterdam, New York 12010
(518) 843-3266

Accordingly, it is respectfully requested that notice pursuant to 37 C.F.R. § 1.47(c) be sent to the nonsigning inventor at the address provided herein, and that the present patent application Serial No. 10/027,485 be deemed made on behalf of Applicant and the nonsigning inventor, Adam Hemsley.

Please charge Deposit Account No. 19-2500 in the amount of \$130.00 under 37 C.F.R. § 1.17(h). In the event this is an incorrect amount, please charge any deficiency or credit any overpayment in the total fees due for this petition to Deposit Account No. 19-2500.

Dated: March 28, 2002

Respectfully submitted,


Jon E. Hokanson
Reg. No. 30,069
Attorney for Applicants

SMALL LARKIN, LLP
10940 Wilshire Boulevard
Eighteen Floor
Los Angeles, California 90024
Tel (310) 209-4499
Fax (310) 209-4450